

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JEREMY RODRIGUEZ-ORTEGA AND  
JOSHUA RODRIGUEZ,**

**Plaintiffs,**

**v.**

**No. 1:21-cv-01129-JCH-KK**

**DAVID RICH, KENNETH LUCERO,  
in their official and individual capacities,  
AND NEW MEXICO DEPARTMENT OF HEALTH,**

**Defendants.**

**RECORD ON REVIEW INDEX REGARDING JOSHUA RODRIGUEZ**

The New Mexico State Personnel Board hereby files this Record on Review Index in accordance with Rule 1-074(H) NMRA.

Parties entitled to notice are as follows:

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Attached as part of the agency record are copies of the following:

	20-018	<b>Pleadings: Bates # 00001 - 00370</b>
1	05/19/2020	Notice of Final Action
2	06/02/2020	Notice of Appeal
3	06/12/2020	Acceptance of Appeal; Scheduling Order
4	07/06/2020	Entry of Appearance—Appellant (Burke)
5	08/13/2020	Entry of Appearance—Appellee (Tremaine)
6	08/13/2020	FILED Stipulated Pre-Hearing Order APPROVED as to form: 08/18/2020
7	09/16/2020	Motion to Compel
8	09/25/2020	Appellee's Response to Motion to Compel
9	10/02/2020	Entry of Appearance---Appellee (Dan A. Akenhead)
10	10/09/2020	New Mexico Department of Health's Expedited Motion to Vacate the Upcoming Hearing and Extend Discovery Deadlines
11	10/09/2020	Appellant's Reply in Support of his Motion to Compel
12	10/16/2020	Order on Motion to Compel
13	10/16/2020	Amended Scheduling Order
14	10/29/2020	Certificate of Service (Appellee's First Supplemental Response to Appellant's First Requests for Production, Part 1)
15	11/02/2020	Certificate of Service (Appellee's First Supplemental Response to Appellant's First Requests for Production, Part II)
16	11/24/2020	Certificate of Service (Appellee's Objections and Response to Appellee's Second Requests for Production and Privilege Log)
17	12/10/2020	RECEIVED COPY ONLY: Stipulated Protective Order Regarding Confidential Documents
18	02/02/2021	Appellant's Motion for Sanctions
19	02/08/2021	Emergency Request for Hearing
20	02/11/2021	Second Amended Scheduling Order
21	02/15/2021	Appellee's Response to Appellant's Motion for Sanctions
22	02/19/2021	Certificate of Service
23	02/25/2021	Reply in Support of Appellant's Motion for Sanctions
24	03/01/2021	Entry of Appearance---Appellee (+Ackermann & Tucker)
25	03/03/2021	Order on Appellant's Motion for Sanctions and Amended Scheduling Order
26	04/08/2021	Notice of Hearing
27	04/08/2021	Appellee's Final Witness List
28	04/12/2021	Appellant's Emergency Second Motion to Compel, Request for Sanctions and Request for Hearing
29	04/12/2021	Appellant's Final Witness List
30	04/14/2021	Appellee's Amended Final Witness List
31	04/15/2021	Appellee's Final List of Exhibits
32	04/15/2021	Appellee's Response to Appellant's Emergency Second Motion to Compel, Request for Sanctions and Request for Hearing
33	04/19/2021	Appellant's Final List of Exhibits
34	04/26/2021	Issued Subpoenas: Vandora Montoya; Ronald Ulibarri; Kenneth Lucero and Chasady Vela

35	04/29/2021	Post-Hearing Scheduling Order for Written Closing Statements, Proposed Findings of Fact, and Proposed Conclusions of Law
36	06/01/2021	Unopposed Request for a Three-Day Extension of Due Date
37	06/02/2021	Amended Post-Hearing Scheduling Order for Written Closing Statements, Proposed Findings of Fact, and Proposed Conclusions of Law
38	06/04/2021	Appellee's Written Closing Statement, Proposed Findings of Fact, and Proposed Conclusions of Law
39	06/04/2021	Appellant's Proposed Findings of Fact and Conclusions of Law
40	08/18/2021	Recommended Decision
41	08/18/2021	Post-Hearing Scheduling Order for Exceptions
42	09/08/2021	Appellant's Exceptions and Objections to Judge Haught's Recommended Decision
43	09/17/2021	Final Decision
	Emails/Letters	Correspondence: <b>Bates # 00371 - 00515</b> ° <i>Dated from September 17, 2021 – June 12, 2020</i>
	Exhibits	Hearing Exhibits: <b>Bates # 00516 – 00646</b> (Please refer to the 04.20.2021 Email regarding Stipulated Exhibits) ° Joint Exhibit 4 is audio files (See Record CD)
	1 CD Combined w/20-028	Record transferred onto a CD due to size (Bookmarked)
	Audio Recordings 1 DVD Combined w/20-028	° October 14 & 15, 2020 Conference ° December 21, 2020 Status Conference ° February 11, 2021 Status Conference ° March 2, 2021 Conference ° April 16, 2021 Conference ° April 22 & 23, 2021 & April 28, 2021 Merits Hearing ° August 4, 2021 Conference ° Audio Index Log of Merits Hearing: 2 pages

✓ *Total of 2 disks delivered to the First Judicial District Court*

Respectfully Submitted,  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the forgoing Record on Review was filed through PACER this 22<sup>nd</sup> day of September 2023, causing the following counsel of record to be served by electronic means.

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